

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

Jose Manuel VALADEZ-Martinez

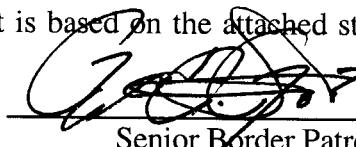
Defendant

'08 MJ 828?
)
Mag. Case No.
)
COMPLAINT FOR VIOLATION OF:
)
Title 8, U.S.C., Section 1324
)
(a)(1)(A)(ii) -Illegal Transportation of
)
Alien(s)
)
)
)
)

The undersigned complainant, being duly sworn, states:

On or about March 30, 2008, within the Southern District of California, defendant Jose Manuel VALADEZ-Martinez, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, Jose Guadalupe LOPEZ-Guerrero, Jose Cruz RAMIREZ-Castorena and Rogelio CERVANTES-Sanchez had come to, entered or remained in the United States in violation of law, did transport or move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant states that this complaint is based on the attached statement of facts which, is incorporated herein by reference.


Senior Border Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 1st DAY OF APRIL 2008.


Peter C. Lewis
United States Magistrate Judge

1 UNITED STATES OF AMERICA
2

3 v.
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5 Jose Manuel VALADEZ-Martinez
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11 STATEMENT OF FACTS
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13 The complainant states that this complaint is based upon statements in the investigative
14 reports by the apprehending U.S. Border Patrol Agent T. Keller that on March 30, 2008, the
15 defendant, a native and citizen of Mexico was apprehended near Calexico, California, as the
16 driver of a 1990 Chevrolet, Cheyenne 1500, White pick-up truck bearing Baja California license,
17 BBJ6940, as he smuggled 8 undocumented aliens from Mexico in violation of 8 U.S.C. Section
18 1324.

19 At approximately 1:15 p.m., BPA Keller observed a group of eight subjects running north
20 in an open agricultural field towards Carr Rd. As the group was approaching Carr Rd. BPA
21 Keller observed a white truck stop north of the group. BPA Keller observed six of the eight
22 subjects board the truck. Two of the eight subjects were unable to board the truck as it drove off
23 westbound.

24 BPA S. Joyner responded and was traveling eastbound on Carr Rd. as the white truck was
25 traveling westbound on Carr Rd. As the truck approached BPA S. Joyner, the driver later
26 identified as Jose Manuel VALADEZ-Martinez, turned northbound off Carr Rd. into an
27 agricultural field. When VALADEZ turned northbound into the field, BPA S. Joyner was able to
28 identify him as wearing a black t-shirt with black hair (crew cut style). BPA S. Joyner was
29 behind VALADEZ when he came to a stop south of an irrigation ditch and exited the vehicle
along with the smuggled aliens. VALADEZ and one other subject ran north away from BPA S.
Joyner as he was yelling "stop". VALADEZ and the other subject jumped into the Alamitos
Canal and swam to the east bank. VALADEZ and the other subject were apprehended by BPA
Keller as they exited the canal. BPA Keller identified himself as a United States Border Patrol
Agent and questioned VALADEZ and the other subject as to their citizenship. Both stated they

were citizens and nationals of Mexico illegally in the United States. Both were placed under arrest.

BPA S. Joyner apprehended the other five subjects that exited the vehicle and identified himself as a United States Border Patrol Agent. BPA S. Joyner questioned all subjects as to their citizenship. All subjects stated they were citizens and nationals of Mexico illegally in the United States. All subjects were placed under arrest.

SBPA M. Velasco responded to the location where the group boarded the truck and located the two subjects that were unable to board. He identified himself as a United States Border Patrol Agent and questioned them as to their citizenship. Both stated they were citizens and nationals of Mexico illegally in the United States. They were placed under arrest.

Records check for VALADEZ revealed 13 prior apprehensions by the United States Border Patrol, and a deportation date on July 19, 2007.

Material Witnesses Jose Guadalupe LOPEZ-Guerrero, Rogelio CERVANTES-Sanchez, and Jose Cruz RAMIREZ-Castorena, stated they were citizens of Mexico. LOPEZ, CERVANTES and RAMIREZ stated they were to pay \$2,000.00 to be smuggled into the United States. All three witnesses stated they rafted across the canal and then boarded a truck near the highway.

The complainant states that the names of the Material Witnesses are as follows:

<u>NAME</u>	<u>PLACE OF BIRTH</u>
Jose Guadalupe LOPEZ-Guerrero	Mexico
Jose Cruz RAMIREZ-Castorena	Mexico
Rogelio CERVANTES-Sanchez	Mexico

Further, complainant states that Jose Guadalupe LOPEZ-Guerrero, Jose Cruz RAMIREZ-Castorena and Rogelio CERVANTES-Sanchez are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material; that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.